

Attorney Docket No. 07319-096001  
Serial No.: 09/778,242  
Amendment dated December 23, 2003  
Reply to Office Action dated September 25, 2003

REMARKS

Claims 1-2 stand rejected under 35 USC 102(b) as allegedly being anticipated by either Katagiri or Mactaggart. Applicants continue to respectfully traverse this rejection.

In response to arguments, the rejection makes a number of points which will be refuted individually.

1) The rejection states that Katagiri specifically teaches calibration data specific to a filter being stored in ROM. This contention is respectfully traversed and moreover, it is respectfully suggested that this is logically inconsistent. Column 22, lines 6-63 state that the ROM stores the data of the center transmission wavelength versus the control parameter for optical filters, emphasis added to the plural form. This is the general relationship for different optical filter relationships with their center transmission wavelengths. There is no teaching nor suggestion that a specific transmission wavelength for the specific optical filter is stored. Moreover, it is logically inconsistent to think that a ROM, that is a read-only memory, could be used to store individual calibration data for the individual filter. The ROM must be prestored with data,

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since data cannot be stored into the memory, it would not be used for calibration data.

The rejection based on Mactaggart notes that the positions of filters are correlated with wavelength by a calibration table that is stored in memory. First of all, however Mactaggart teaches a system used for an infrared disk, and teaches nothing about the claimed list of specified colors and positions for the specified colors. Moreover, while column 6 does describe the 'calibration table', those are the only words that it uses. It teaches nothing about a list of specified colors and positions for the specified colors; rather all it says is a calibration table, exactly that, and nothing more.

It is respectfully suggested that the rejection uses a healthy amount of hindsight in trying to interpret what these references actually teach. The references do not teach this subject matter, but rather the present specification teaches this subject matter. It is respectfully suggested that the references do not teach or suggest the subject matter which is now claimed.

Claims 7 and 8 stand rejected over Katagiri or Mactaggart in view of So. So shows that a wavelength measurement system can be used with a cut on curve. However, there is no teaching or suggestion of the calibration structure which is now claimed.

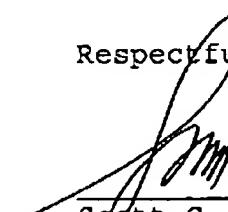
Attorney Docket No. 07319-096001  
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In view of the above amendments and remarks, therefore, all of the claims should be in condition for allowance. A formal notice to that effect is respectfully solicited.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 10/03/03

  
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Scott C. Harris  
Reg. No. 32,030

Fish & Richardson P.C.  
PTO Customer Number: 20985  
4350 La Jolla Village Drive, Suite 500  
San Diego, CA 92122  
Telephone: (858) 678-5070  
Facsimile: (858) 678-5099  
10354986.doc